

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF OHIO, WESTERN DIVISION**

NORCAL TEA PARTY PATRIOTS, et al.,)
ON BEHALF OF THEMSELVES,)
THEIR MEMBERS, and THE CLASS)
THEY SEEK TO REPRESENT,)

Plaintiffs,)

v.)

THE INTERNAL REVENUE SERVICE, et al.,)

Defendants.)

Case No. 1:13-cv-00341

Judge Susan J. Dlott

**AGREED ORDER APPROVING
PROPOSED CLASS NOTICE AND CLASS NOTICE PLAN**

On March 10, 2016, the parties appeared before the Court for a hearing regarding Defendants' Motion for Scheduling Order and Order Establishing Class Member Notice and Opt-Out Procedure (Doc. 234) and Plaintiffs' Proposed Class Notice Plan and Response to Motion to Establish Class Member Notice and Opt-Out Procedure (Doc. 235). The parties have also submitted a Joint Request for Agreed Order Approving their Proposed Class Notice and Class Notice Plan, which includes as attachments final copies of the Proposed Class Notice and Class Notice Plan (Doc. 256). On agreement of the parties, and in accordance with the class notice requirements of Rule 23(c)(2)(B), the Proposed Class Notice and Class Notice Plan is APPROVED.

The Court hereby finds, concludes, and orders as follows:

1. The parties have submitted a class notice plan that includes three components: (1) direct mail notice; (2) detailed website notice with links to a copy of the long form notice, the Second Amended Class Action Complaint, the Government's Answer, and the briefs concerning

Plaintiffs' Motion for Class Certification; and (3) a national press release. The parties have modeled the proposed class notices based on samples published by the Federal Judicial Center. The notices clearly and concisely describe the topics listed in Rule 23(c)(2)(B).


2. The proposed notice plan fully satisfies the requirements of Rule 23(c)(2) that the parties disseminate "the best notice practicable under the circumstances." The circumstances of this case indicate that the IRS has records containing the mailing information for class members and that substantially all, if not all, of the class members will be sent the direct mail notice. In addition, the website notice and press release will help ensure that any remaining class members receive notice of class certification and its impact on their rights.

3. The Court hereby approves the Proposed Class Notice submitted by the parties as Exhibit B to their Joint Request for Agreed Order. The Court orders the following schedule for dissemination of class notice:

Event	Deadline
Government Mails Court-approved Notice	3 days after entry of this Order
Close of Opt-Out Period	35 days after mailing of Court-approved notice
Government Produces Application Files of Class Members to Plaintiffs' Counsel	21 days after close of opt-out period

4. The Court orders that the Class Notice shall be sent to each entity's address as reflected in the IRS's records, even where the entity is represented by counsel. Where an entity is currently represented by counsel or was represented by a Power of Attorney at the time of application, Class Notice may also be sent to those individuals.

IT IS SO ORDERED.


 Judge Susan J. Dlott
 United States District Court

Submitted by:

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